

MISSISSIPPI LEGISLATURE

REGULAR SESSION 2023

By: Representatives Lamar, Shanks, Wallace

To: Ways and Means

HOUSE BILL NO. 1020
(As Sent to Governor)

1 AN ACT TO AUTHORIZE FOUR TEMPORARY SPECIAL CIRCUIT JUDGES FOR
2 THE SEVENTH CIRCUIT COURT DISTRICT TO BE APPOINTED BY THE CHIEF
3 JUSTICE OF THE SUPREME COURT; TO AUTHORIZE THE PUBLIC DEFENDER OF
4 THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT THREE FULL-TIME
5 ASSISTANT PUBLIC DEFENDERS; TO AUTHORIZE THE DISTRICT ATTORNEY OF
6 THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT TWO FULL-TIME
7 ASSISTANT DISTRICT ATTORNEYS; TO CREATE AN INFERIOR COURT WITHIN
8 THE CAPITOL COMPLEX IMPROVEMENT DISTRICT TO HEAR AND DETERMINE
9 CERTAIN MATTERS THAT ARE UNDER THE JURISDICTION OF MUNICIPAL
10 COURTS JURISDICTION OF A MUNICIPAL COURT; TO AUTHORIZE THE
11 ATTORNEY GENERAL TO DESIGNATE TWO ATTORNEYS TO SERVE AS
12 PROSECUTING ATTORNEYS FOR ANY CAUSE OF ACTION WITHIN THE
13 JURISDICTION OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO
14 REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS, IN CONSULTATION WITH
15 THE CHIEF JUSTICE OF THE MISSISSIPPI SUPREME COURT TO APPOINT A
16 CLERK FOR THE CCID INFERIOR COURT; TO REQUIRE THE DEPARTMENT OF
17 FINANCE AND ADMINISTRATION TO DESIGNATE A SUITABLE LOCATION OR
18 BUILDING FOR THE PURPOSE OF ALLOWING THE CCID INFERIOR COURT TO
19 HOLD COURT; TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO
20 REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT,
21 FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 27-65-75, MISSISSIPPI
22 CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2664, 2023 REGULAR
23 SESSION, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE TO
24 THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND; TO REQUIRE
25 THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A
26 911 SYSTEM FOR EMERGENCIES WITHIN THE CAPITOL COMPLEX IMPROVEMENT
27 DISTRICT; TO REQUIRE THE CHIEF JUSTICE OF THE SUPREME COURT, IN
28 CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO APPOINT
29 A COURT ADMINISTRATOR TO MANAGE THE CASELOAD OF THE SPECIAL JUDGES
30 APPOINTED IN SECTION 1 OF THIS ACT; TO REQUIRE THE HINDS COUNTY
31 CIRCUIT CLERK TO SELECT JURORS FROM ALL QUALIFIED ELECTORS IN
32 HINDS COUNTY; TO PROVIDE HOW JURORS ARE CHOSEN FOR PROCEEDINGS
33 BEFORE SPECIAL COURT JUDGES AUTHORIZED BY THIS ACT FOR THE SEVENTH
34 CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.



BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Chief Justice of the Supreme Court shall appoint four (4) temporary special circuit judges for the Seventh Circuit Court District. No limitation whatsoever shall be placed upon the powers and duties of the judges other than those provided by the Constitution and laws of this state. The term of the temporary special circuit judges shall expire on December 31, 2026.

(2) The judges shall be appointed no later than fifteen (15) days after the passage of this act according to applicable state laws. The Chief Justice of the Supreme Court may elect to reappoint circuit judges that are serving on a temporary basis as of the effective date of this act in the Seventh Circuit Court District.

(3) (a) Each temporary special circuit judge shall receive an office operating allowance to be used for the purposes described and in amounts equal to those authorized in Section 9-1-36.

(b) The Administrative Office of Courts shall establish personnel policies to compensate the support staff for each temporary special circuit judge.

(4) This section shall stand repealed on December 31, 2026.

SECTION 2. The public defender of the Seventh Circuit Court District may appoint three (3) full-time assistant public defenders who shall perform duties in the Seventh Circuit Court



District and the Capitol Complex Improvement District (CCID) Inferior Court. Such appointments shall be made in addition to those authorized as of the effective date of this act in Section 25-32-3. The full-time assistant public defenders shall receive compensation in an amount equal to the compensation paid to full-time assistant public defenders in the Seventh Circuit Court District subject to available funds specifically appropriated by the Legislature.

SECTION 3. (1) The District Attorney of the Seventh Circuit Court District may appoint two (2) full-time assistant district attorneys in addition to those authorized as the effective date of this act in Section 25-31-5. The full-time assistant district attorneys shall receive compensation in an amount equal to the compensation paid to full-time assistant district attorneys in the Seventh Circuit Court District subject to available funds specifically appropriated therefor by the Legislature.

(2) The District Attorney of the Seventh Circuit Court District may appoint one (1) full-time criminal investigator in addition to the criminal investigators authorized as of the effective date of this act in Section 25-31-10.

SECTION 4. (1) (a) From and after January 1, 2024, there shall be created one (1) inferior court as authorized by Article 6, Section 172 of the Mississippi Constitution of 1890, to be located within the boundaries established in Section 29-5-203 for the Capitol Complex Improvement District, hereinafter referred to



85 as "CCID". The CCID inferior court shall have jurisdiction to
86 hear and determine all preliminary matters and criminal matters
87 authorized by law for municipal courts that accrue or occur, in
88 whole or in part, within the boundaries of the Capitol Complex
89 Improvement District; and shall have the same jurisdiction as
90 municipal courts to hear and determine all cases charging
91 violations of the motor vehicle and traffic laws of this state,
92 and violations of the City of Jackson's traffic ordinance or
93 ordinances related to the disturbance of the public peace that
94 accrue or occur, in whole or in part, within the boundaries of the
95 Capitol Complex Improvement District.

96 (b) Any person convicted in the CCID inferior court may
97 be placed in the custody of the Mississippi Department of
98 Corrections, Central Mississippi facility.

99 (2) The Chief Justice of the Mississippi Supreme Court shall
100 appoint the CCID inferior court judge authorized by this section.
101 The judge shall possess all qualifications required by law for
102 municipal court judges. Such judge shall be a qualified elector
103 of this state, and shall have such other qualifications as
104 provided by law for municipal judges.

105 (3) The Administrative Office of Courts shall provide
106 compensation for the CCID inferior court judge and the support
107 staff of the judge. Such compensation shall not be in an amount
108 less than the compensation paid to municipal court judges and
109 their support staff in the City of Jackson.



110 (4) All fines, penalties, fees and costs imposed and
111 collected by the CCID inferior court shall be deposited with the
112 City of Jackson municipal treasurer or equivalent officer.

113 (5) This section shall stand repealed on July 1, 2027.

114 **SECTION 5.** (1) The Attorney General shall designate two (2)
115 attorneys to serve as prosecuting attorneys for any cause of
116 action within the jurisdiction of the Capitol Complex Improvement
117 District (CCID) inferior court. The prosecuting attorneys may be
118 employees of the Office of the Attorney General or contracted by
119 the Attorney General for such purposes. The attorneys shall
120 prosecute cases in the court provided for the CCID inferior court
121 and also in the same manner and with the same authority of law
122 provided for district attorneys and county prosecuting attorneys
123 by filing an indictment or any other criminal action that accrues
124 or occurs, in whole or in part, in the CCID.

125 (2) The Hinds County District Attorney shall be authorized
126 to prosecute cases in the CCID inferior court. The provisions of
127 this section shall not be construed to prohibit or in any way
128 limit the Hinds County District Attorney from filing an indictment
129 or any other criminal action that occurred or accrued, in whole or
130 in part, within the boundaries of the CCID.

131 (3) This section shall stand repealed on July 1, 2027.

132 **SECTION 6.** (1) The Administrative Office of Courts, in
133 consultation with the Chief Justice of the Mississippi Supreme



Court, shall appoint a clerk for the Capitol Complex Improvement District (CCID) inferior court.

(2) The Administrative Office of Courts shall provide support staff and any other staff necessary to carry out the functions and duties for the clerk of the CCID inferior court.

(3) The Administrative Office of Courts shall pay the salaries of the clerk and support staff of the CCID, subject to available funds specifically appropriated by the Legislature for such purpose. Such salaries shall not be in amounts less than the salaries paid to the clerk and staff of the municipal courts in the City of Jackson.

(4) This section shall stand repealed on July 1, 2027.

SECTION 7. The Department of Finance and Administration in conjunction with the Administrative Office of Courts shall designate a suitable location or building for the purpose of allowing the Capitol Complex Improvement District (CCID) inferior court to hold court.

SECTION 8. Section 29-5-203, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2024, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX PROPOSED BOUNDARIES



159 • Beginning at a point on the west bank of the Pearl River
160 determined by extending the south curb line of High Street east
161 until it meets the bank of the Pearl River;

162 • Then north along the west bank of the Pearl River
163 (extending along the southern boundary of LeFleur's Bluff State
164 Park) until it reaches a point on such bank determined by
165 extending the east curb line of Ridgewood Road south until it
166 meets the bank of the Pearl River;

167 • Then north along such line determined by extending the
168 east curb line of Ridgewood Road and continuing along such curb
169 line until it reaches the northern drainage ditch of Eastover
170 Drive;

171 • Then west along the northern drainage ditch and curb line
172 of Eastover Drive until it reaches the western curb line of the
173 west frontage road of I-55;

174 • Then south along the west curb line of such frontage road
175 until it reaches the northern curb line of Lakeland Drive;

176 • Then west along the northern curb line of Lakeland Drive
177 until it reaches the eastern curb line of Old Canton Road;

178 • Then north along the east curb line of Old Canton Road
179 until it reaches the northern curb line of Meadowbrook Road;

180 • Then west along the north curb line of Meadowbrook Road to
181 the west curb line of North State Street;

182 • Then south along the west curb line of North State Street
183 to the north curb line of Hartfield Street;



184 • Then west along the north curb line of Hartfield Street to
185 the west curb line of Oxford Avenue;
186 • Then south on the west curb line of Oxford Avenue to the
187 north curb line of Mitchell Avenue which becomes Stonewall Street;
188 • Then west along the north curb line of Mitchell Street and
189 then Stonewall Street until it reaches the west curb line of
190 Livingston Road;
191 • Then south along the west curb line of Livingston Road
192 until it reaches the south curb line of Woodrow Wilson Drive;
193 • Then east along the south curb line of Woodrow Wilson
194 Drive to the west curb line of Bailey Avenue (which becomes
195 Gallatin Street);
196 • Then south along the west curb line of Bailey Avenue and
197 then Gallatin Street until it reaches the north curb line of West
198 Capitol Street;
199 • Then west along the north curb line of West Capitol Street
200 until it intersects with the north curb line of Robinson Road;
201 • Then west on the north curb line of Robinson Road until it
202 intersects with the west curb line of Prentiss Street;
203 • Then south along the west curb line of Prentiss Street
204 until it intersects with the north curb line of John R. Lynch
205 Street on the west side of Jackson State University;
206 • Then west on the north curb line of John R. Lynch Street
207 until it reaches the west curb line of Valley Street;



208 • Then south along the west curb line of Valley Street until
209 it reaches the south curb line of Morehouse Street;
210 • Then east along the south curb line of Morehouse Street
211 until it reaches the west curb line of Dalton Street;
212 • Then south along the west curb line of Dalton Street until
213 it reaches the south curb line of Florence Avenue;
214 • Then east along the south curb line of Florence Avenue
215 until it reaches the east curb line of University Blvd. (Terry
216 Road);
217 • Then north and along the east curb line of University
218 Blvd. until it reaches the south curb line of Hooker Street;
219 • Then east along the south curb line of Hooker Street
220 extending in a straight line to the railroad tracks;
221 • Then north on the west side of such railroad tracks to the
222 south curb line of South Street;
223 • Then east on South Street to the east curb line of
224 Jefferson Street and extend the south curb line of South Street in
225 a straight line to the east to the western edge of I-55;
226 • Then north along the western edge of I-55 until it reaches
227 the south curb line of High Street;
228 • Then east along the south curb line of High Street and
229 extending such line to the Pearl River and the point of the
230 beginning.

231 [From and after July 1, 2024, this section shall read as
232 follows:



233 29-5-203. There is created the Capitol Complex Improvement
234 District to be composed of the following described area in the
235 City of Jackson, Mississippi, that surrounds the State Capitol
236 Building:

237 CAPITOL COMPLEX PROPOSED BOUNDARIES

238 • Beginning at a point on the west bank of the Pearl River
239 determined by extending the south curb line of High Street east
240 until it meets the bank of the Pearl River;

241 • Then north along the west bank of the Pearl River * * *
242 until it reaches a point on such bank determined by extending
243 the * * * north curb line of Northside Drive until it meets the
244 bank of the Pearl River;

245 • Then west along the north curb line of Northside Drive
246 until it reaches the west track of the Illinois Central Railroad
247 line;

248 * * *

249 • Then south * * * along the west track of the Illinois
250 Central Railroad line to the north curb line of Mitchell Avenue
251 which becomes Stonewall Street;

252 • Then west along the north curb line of Mitchell Street and
253 then Stonewall Street until it reaches the west curb line of
254 Livingston Road;

255 • Then south along the west curb line of Livingston Road
256 until it reaches the south curb line of Woodrow Wilson Drive;



257 • Then east along the south curb line of Woodrow Wilson
258 Drive to the west curb line of Bailey Avenue (which becomes
259 Gallatin Street);

260 • Then south along the west curb line of Bailey Avenue and
261 then Gallatin Street until it reaches the north curb line of * * *
262 West Monument Street;

263 • Then west along the north curb line of * * * West Monument
264 Street until it intersects with * * * West Capitol Street and
265 becomes Rose Street;

266 • Then south along the west curb line of Rose Street until
267 it intersects with the north curb line of Robinson Road;

268 • Then west on the north curb line of Robinson Road until it
269 intersects with the west curb line of Prentiss Street;

270 • Then south along the west curb line of Prentiss Street
271 until it intersects with the north curb line of John R. Lynch
272 Street on the west side of Jackson State University;

273 • Then west on the north curb line of John R. Lynch Street
274 until it reaches the west curb line of * * * Ellis Avenue;

275 * * *

276 • Then south along the west curb line of Ellis Avenue until
277 it reaches the south curb line of Raymond Road;

278 • Then east along the south curb line of Raymond Road until
279 it reaches the north edge of Interstate 20 westbound;

280 • * * * Then east along the north edge of Interstate 20
281 until it overlaps with Interstate 55 and continues along such edge



of Interstate 55/20 to the western edge of where it becomes
Interstate 55;

* * *

- Then north along the western edge of I-55 until it reaches the south curb line of High Street;

- Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

SECTION 9. Section 27-65-75, Mississippi Code of 1972, as amended by Senate Bill No. 2664, 2023 Regular Session, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under



307 the provisions of this chapter, except that collected under the
308 provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and
309 27-65-24, on business activities within a municipal corporation
310 shall be allocated for distribution to the municipality and paid
311 to the municipal corporation. However, in the event the State
312 Auditor issues a certificate of noncompliance pursuant to Section
313 21-35-31, the Department of Revenue shall withhold ten percent
314 (10%) of the allocations and payments to the municipality that
315 would otherwise be payable to the municipality under this
316 paragraph (a) until such time that the department receives written
317 notice of the cancellation of a certificate of noncompliance from
318 the State Auditor.

319 A municipal corporation, for the purpose of distributing the
320 tax under this subsection, shall mean and include all incorporated
321 cities, towns and villages.

322 Monies allocated for distribution and credited to a municipal
323 corporation under this paragraph may be pledged as security for a
324 loan if the distribution received by the municipal corporation is
325 otherwise authorized or required by law to be pledged as security
326 for such a loan.

327 In any county having a county seat that is not an
328 incorporated municipality, the distribution provided under this
329 subsection shall be made as though the county seat was an
330 incorporated municipality; however, the distribution to the
331 municipality shall be paid to the county treasury in which the



municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected



under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the



preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness



407 that has been incurred by the county for the redevelopment project
408 and the expected date the indebtedness incurred by the county will
409 be satisfied.

410 (iii) The diversion of sales tax revenue
411 authorized by this paragraph shall begin the month following the
412 month in which the Department of Revenue determines that the
413 requirements of this paragraph have been met. The diversion shall
414 end the month the indebtedness incurred by the county is
415 satisfied. All revenue received by the county under this
416 paragraph shall be deposited in the fund required to be created in
417 the tax increment financing plan under Section 21-45-11 and be
418 utilized solely to satisfy the indebtedness incurred by the
419 county.

420 (2) On or before September 15, 1987, and each succeeding
421 month thereafter, from the revenue collected under this chapter
422 during the preceding month, One Million One Hundred Twenty-five
423 Thousand Dollars (\$1,125,000.00) shall be allocated for
424 distribution to municipal corporations as defined under subsection
425 (1) of this section in the proportion that the number of gallons
426 of gasoline and diesel fuel sold by distributors to consumers and
427 retailers in each such municipality during the preceding fiscal
428 year bears to the total gallons of gasoline and diesel fuel sold
429 by distributors to consumers and retailers in municipalities
430 statewide during the preceding fiscal year. The Department of
431 Revenue shall require all distributors of gasoline and diesel fuel



432 to report to the department monthly the total number of gallons of
433 gasoline and diesel fuel sold by them to consumers and retailers
434 in each municipality during the preceding month. The Department
435 of Revenue shall have the authority to promulgate such rules and
436 regulations as is necessary to determine the number of gallons of
437 gasoline and diesel fuel sold by distributors to consumers and
438 retailers in each municipality. In determining the percentage
439 allocation of funds under this subsection for the fiscal year
440 beginning July 1, 1987, and ending June 30, 1988, the Department
441 of Revenue may consider gallons of gasoline and diesel fuel sold
442 for a period of less than one (1) fiscal year. For the purposes
443 of this subsection, the term "fiscal year" means the fiscal year
444 beginning July 1 of a year.

445 (3) On or before September 15, 1987, and on or before the
446 fifteenth day of each succeeding month, until the date specified
447 in Section 65-39-35, the proceeds derived from contractors' taxes
448 levied under Section 27-65-21 on contracts for the construction or
449 reconstruction of highways designated under the highway program
450 created under Section 65-3-97 shall, except as otherwise provided
451 in Section 31-17-127, be deposited into the State Treasury to the
452 credit of the State Highway Fund to be used to fund that highway
453 program. The Mississippi Department of Transportation shall
454 provide to the Department of Revenue such information as is
455 necessary to determine the amount of proceeds to be distributed
456 under this subsection.



(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be



first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.



507 (5) One Million Six Hundred Sixty-six Thousand Six Hundred
508 Sixty-six Dollars (\$1,666,666.00) each month shall be paid into
509 the special fund known as the "Educational Facilities Revolving
510 Loan Fund" created and existing under the provisions of Section
511 37-47-24. Those payments into that fund are to be made on the
512 last day of each succeeding month hereafter. This subsection (5)
513 shall stand repealed on July 1, * * * 2026.

514 (6) An amount each month beginning August 15, 1983, through
515 November 15, 1986, as specified in Section 6, Chapter 542, Laws of
516 1983, shall be paid into the special fund known as the
517 Correctional Facilities Construction Fund created in Section 6,
518 Chapter 542, Laws of 1983.

519 (7) On or before August 15, 1992, and each succeeding month
520 thereafter through July 15, 2000, two and two hundred sixty-six
521 one-thousandths percent (2.266%) of the total sales tax revenue
522 collected during the preceding month under the provisions of this
523 chapter, except that collected under the provisions of Section
524 27-65-17(2), shall be deposited by the department into the School
525 Ad Valorem Tax Reduction Fund created under Section 37-61-35. On
526 or before August 15, 2000, and each succeeding month thereafter,
527 two and two hundred sixty-six one-thousandths percent (2.266%) of
528 the total sales tax revenue collected during the preceding month
529 under the provisions of this chapter, except that collected under
530 the provisions of Section 27-65-17(2), shall be deposited into the
531 School Ad Valorem Tax Reduction Fund created under Section



37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.



557 (11) Notwithstanding any other provision of this section to
558 the contrary, on or before February 15, 1995, and each succeeding
559 month thereafter, the sales tax revenue collected during the
560 preceding month under the provisions of Section 27-65-17(2) and
561 the corresponding levy in Section 27-65-23 on the rental or lease
562 of private carriers of passengers and light carriers of property
563 as defined in Section 27-51-101 shall be deposited, without
564 diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund
565 established in Section 27-51-105.

566 (12) Notwithstanding any other provision of this section to
567 the contrary, on or before August 15, 1995, and each succeeding
568 month thereafter, the sales tax revenue collected during the
569 preceding month under the provisions of Section 27-65-17(1) on
570 retail sales of private carriers of passengers and light carriers
571 of property, as defined in Section 27-51-101 and the corresponding
572 levy in Section 27-65-23 on the rental or lease of these vehicles,
573 shall be deposited, after diversion, into the Motor Vehicle Ad
574 Valorem Tax Reduction Fund established in Section 27-51-105.

575 (13) On or before July 15, 1994, and on or before the
576 fifteenth day of each succeeding month thereafter, that portion of
577 the avails of the tax imposed in Section 27-65-22 that is derived
578 from activities held on the Mississippi State Fairgrounds Complex
579 shall be paid into a special fund that is created in the State
580 Treasury and shall be expended upon legislative appropriation



581 solely to defray the costs of repairs and renovation at the Trade
582 Mart and Coliseum.

583 (14) On or before August 15, 1998, and each succeeding month
584 thereafter through July 15, 2005, that portion of the avails of
585 the tax imposed in Section 27-65-23 that is derived from sales by
586 cotton compresses or cotton warehouses and that would otherwise be
587 paid into the General Fund shall be deposited in an amount not to
588 exceed Two Million Dollars (\$2,000,000.00) into the special fund
589 created under Section 69-37-39. On or before August 15, 2007, and
590 each succeeding month thereafter through July 15, 2010, that
591 portion of the avails of the tax imposed in Section 27-65-23 that
592 is derived from sales by cotton compresses or cotton warehouses
593 and that would otherwise be paid into the General Fund shall be
594 deposited in an amount not to exceed Two Million Dollars
595 (\$2,000,000.00) into the special fund created under Section
596 69-37-39 until all debts or other obligations incurred by the
597 Certified Cotton Growers Organization under the Mississippi Boll
598 Weevil Management Act before January 1, 2007, are satisfied in
599 full. On or before August 15, 2010, and each succeeding month
600 thereafter through July 15, 2011, fifty percent (50%) of that
601 portion of the avails of the tax imposed in Section 27-65-23 that
602 is derived from sales by cotton compresses or cotton warehouses
603 and that would otherwise be paid into the General Fund shall be
604 deposited into the special fund created under Section 69-37-39
605 until such time that the total amount deposited into the fund



606 during a fiscal year equals One Million Dollars (\$1,000,000.00).
607 On or before August 15, 2011, and each succeeding month
608 thereafter, that portion of the avails of the tax imposed in
609 Section 27-65-23 that is derived from sales by cotton compresses
610 or cotton warehouses and that would otherwise be paid into the
611 General Fund shall be deposited into the special fund created
612 under Section 69-37-39 until such time that the total amount
613 deposited into the fund during a fiscal year equals One Million
614 Dollars (\$1,000,000.00).

615 (15) Notwithstanding any other provision of this section to
616 the contrary, on or before September 15, 2000, and each succeeding
617 month thereafter, the sales tax revenue collected during the
618 preceding month under the provisions of Section
619 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited,
620 without diversion, into the Telecommunications Ad Valorem Tax
621 Reduction Fund established in Section 27-38-7.

622 (16) (a) On or before August 15, 2000, and each succeeding
623 month thereafter, the sales tax revenue collected during the
624 preceding month under the provisions of this chapter on the gross
625 proceeds of sales of a project as defined in Section 57-30-1 shall
626 be deposited, after all diversions except the diversion provided
627 for in subsection (1) of this section, into the Sales Tax
628 Incentive Fund created in Section 57-30-3.

629 (b) On or before August 15, 2007, and each succeeding
630 month thereafter, eighty percent (80%) of the sales tax revenue



631 collected during the preceding month under the provisions of this
632 chapter from the operation of a tourism project under the
633 provisions of Sections 57-26-1 through 57-26-5, shall be
634 deposited, after the diversions required in subsections (7) and
635 (8) of this section, into the Tourism Project Sales Tax Incentive
636 Fund created in Section 57-26-3.

637 (17) Notwithstanding any other provision of this section to
638 the contrary, on or before April 15, 2002, and each succeeding
639 month thereafter, the sales tax revenue collected during the
640 preceding month under Section 27-65-23 on sales of parking
641 services of parking garages and lots at airports shall be
642 deposited, without diversion, into the special fund created under
643 Section 27-5-101(d).

644 (18) [Repealed]

645 (19) (a) On or before August 15, 2005, and each succeeding
646 month thereafter, the sales tax revenue collected during the
647 preceding month under the provisions of this chapter on the gross
648 proceeds of sales of a business enterprise located within a
649 redevelopment project area under the provisions of Sections
650 57-91-1 through 57-91-11, and the revenue collected on the gross
651 proceeds of sales from sales made to a business enterprise located
652 in a redevelopment project area under the provisions of Sections
653 57-91-1 through 57-91-11 (provided that such sales made to a
654 business enterprise are made on the premises of the business
655 enterprise), shall, except as otherwise provided in this



subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;



680 (iii) For the eighth year in which such payments
681 are made to a developer from the Redevelopment Project Incentive
682 Fund, seventy percent (70%) of the diversion shall be deposited
683 into the fund;

684 (iv) For the ninth year in which such payments are
685 made to a developer from the Redevelopment Project Incentive Fund,
686 sixty percent (60%) of the diversion shall be deposited into the
687 fund; and

688 (v) For the tenth year in which such payments are
689 made to a developer from the Redevelopment Project Incentive Fund,
690 fifty percent (50%) of the funds shall be deposited into the fund.

691 (20) On or before January 15, 2007, and each succeeding
692 month thereafter, eighty percent (80%) of the sales tax revenue
693 collected during the preceding month under the provisions of this
694 chapter from the operation of a tourism project under the
695 provisions of Sections 57-28-1 through 57-28-5 shall be deposited,
696 after the diversions required in subsections (7) and (8) of this
697 section, into the Tourism Sales Tax Incentive Fund created in
698 Section 57-28-3.

699 (21) (a) On or before April 15, 2007, and each succeeding
700 month thereafter through June 15, 2013, One Hundred Fifty Thousand
701 Dollars (\$150,000.00) of the sales tax revenue collected during
702 the preceding month under the provisions of this chapter shall be
703 deposited into the MMEIA Tax Incentive Fund created in Section
704 57-101-3.



705 (b) On or before July 15, 2013, and each succeeding
706 month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00)
707 of the sales tax revenue collected during the preceding month
708 under the provisions of this chapter shall be deposited into the
709 Mississippi Development Authority Job Training Grant Fund created
710 in Section 57-1-451.

711 (22) Notwithstanding any other provision of this section to
712 the contrary, on or before August 15, 2009, and each succeeding
713 month thereafter, the sales tax revenue collected during the
714 preceding month under the provisions of Section 27-65-201 shall be
715 deposited, without diversion, into the Motor Vehicle Ad Valorem
716 Tax Reduction Fund established in Section 27-51-105.

717 (23) (a) On or before August 15, 2019, and each month
718 thereafter through July 15, 2020, one percent (1%) of the total
719 sales tax revenue collected during the preceding month from
720 restaurants and hotels shall be allocated for distribution to the
721 Mississippi Development Authority Tourism Advertising Fund
722 established under Section 57-1-64, to be used exclusively for the
723 purpose stated therein. On or before August 15, 2020, and each
724 month thereafter through July 15, 2021, two percent (2%) of the
725 total sales tax revenue collected during the preceding month from
726 restaurants and hotels shall be allocated for distribution to the
727 Mississippi Development Authority Tourism Advertising Fund
728 established under Section 57-1-64, to be used exclusively for the
729 purpose stated therein. On or before August 15, 2021, and each



month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.



(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 10. The City of Jackson, at all times, shall adequately staff its police department with the necessary number of law enforcement officers. The Jackson Police Department shall continue to enforce all ordinances of the City of Jackson.



SECTION 11.

(1) Subject to the availability of funds specifically appropriated therefor, the Department of Public Safety shall provide body-worn cameras to each patrol law enforcement officer within the Office of Capitol Police. The body-worn cameras shall be kept in good working condition, worn on the uniform of any patrol law enforcement officer while the officer is on duty and shall be fully operational while any officer is on patrol.

(2) For purposes of this section, "Body-worn camera" means a device that is worn by a law enforcement officer which has the capability of electronically recording audio and video of the activities of the officer.

SECTION 12.

By October 1, 2023, the clerk of the Seventh Circuit Court District in conjunction with the Administrative Office of Courts shall provide case disposition and caseload data in the district from January 1, 2017, to September 15, 2023, to the Chairs of the Senate Judiciary, Division A and the House Judiciary A Committees and the Chairs of the Senate and House Appropriations Committees for the purpose of assisting the Legislature in its consideration to authorize one (1) circuit judge for the Seventh Circuit Court District in addition to the judges authorized in subsection (1) of this section. Any judge to be authorized under this subsection shall be elected from the subdistrict as provided by Section 9-7-23(2)(e).



802 **SECTION 13.** The Commissioner of the Department of Public
803 Safety shall develop a 911 system which can be used by any person
804 within the boundaries of the Capitol Complex Improvement District.

805 **SECTION 14.** The Department of Public Safety may purchase and
806 issue all patrol law enforcement officers within the department
807 any equipment deemed necessary by the commissioner for use to
808 enforce any traffic related law of the State of Mississippi, City
809 of Jackson's traffic ordinances or ordinances related to the
810 disturbance of the public peace, or agency regulation on any
811 property, public street, road or highway upon which it has
812 jurisdiction.

813 **SECTION 15.** The Chief Justice of the Supreme Court, in
814 consultation with the Administrative Office of Courts shall
815 appoint a court administrator whose primary duty is to manage the
816 caseload of the special judges appointed in Section 1 of this act.
817 The Chief Justice of the Supreme Court, in consultation with the
818 Administrative Office of Courts, shall set the compensation for
819 the court administrator authorized in this section.

820 **SECTION 16.** The Hinds County Circuit Clerk shall enter the
821 names or identifying numbers of all qualified electors in Hinds
822 County when selecting a jury for any hearing, trial or cause of
823 action that comes before any of the four (4) temporary special
824 circuit judges authorized by Section 1 of this act for the Seventh
825 Circuit Court District.



826 **SECTION 17.** If any section, paragraph, sentence, clause,
827 phrase or any part of this act is declared to be unconstitutional
828 or void, or if for any reason is declared to be invalid or of no
829 effect, the remaining sections, paragraphs, sentences, clauses,
830 phrases or parts of this act shall be in no manner affected
831 thereby but shall remain in full force and effect.

832 **SECTION 18.** This act shall take effect and be in force from
833 and after July 1, 2023.

